IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

WP(C).No. 38188 OF 2007(U)

AGAINST THE ORDER IN EP.26/2007 IN
RCC.18/2003 OF MUNSIFF COURT, QUILANDY

PETITIONER:

RAVI VARMA RAJA,
S/O.KRISHNAN NAMBOODIRI,
KURUMBANAD KOVILAKAM,
SIVAPURAM VAMSAM, KARIMALA DESAM,
KOYLANDY TALUK, KOZHIKODE DIST.

BY ADV. SRI.P.K.ABOOBACKER(EDAPPALLY)

RESPONDENTS:

1. THE RENT CONTROL & EXECUTION COURT
(MUNSIFF'S COURT),
KOYLANDY.

2. P.ABDURAHIM,
S/O.MOHAMMED @ MAMMUHAJI,
KOLLANKANDI,
BALUSSERY AMSOM,
KOYLANDY TALUK, KOZHIKODE DIST.

3. K.N.MOHAMMED,
S/O.ADRUMAN KUTTY,
KIZAKKE NANOTH HOUSE,
BALUSSERY AMSOM,
KOYLANDY TALUK,
KOZHIKODE DIST.

4. N.P.BEERAN,
S/O.ABDU,
OZHIKIL VEEDU,
THALAKKULATHOOR AMSOM, DESOM,
KOZHIKKODE TALUK,
KOZHIKODE DIST.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R. RAMAN & HARUN-UL-RASHID, JJ.

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W.P.(C) NO. 38188 OF 2007

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DATED THIS, THE 24TH DAY OF DECEMBER, 2007.

J U D G M E N T

Raman, J.

Petitioner is a stranger who has resisted the delivery. He has also filed Ext.P2 application before the Munsiff's Court, Koyilandi, claiming right over the property. His apprehension is that before considering his application Ext.P2, if delivery is taken, it will adversely affect his right and also cause hardship.

2. It is admitted that Ext.P2 is posted to 11.1.2008. In the circumstances, there will be a stay of taking actual delivery of the property, if not already taken, ttill 11.1.2008 and thereafter, the matter will be governed by any orders that may be passed by the Munsiff's Court.

The writ petition is disposed of as above.

P.R. RAMAN,
(JUDGE)

HARUN-UL-RASHID,
(JUDGE)

knc/-